

Although the Kawesch patent states that the air does flow over the cornea the full sentence further states that this is done to draw the fluid out of the cornea/flap interface. Lines 33-37 of column 5 discuss how the system dries the flap. The abstract of the patent further describes a flap drying system. Additionally, Figure 4 shows direct impingement of the air onto the eye. Directing the flow of air onto the eye would clearly dry out the cornea. Contrary to the Examiner's contention the Applicant submits that the recited portions of Kawesch actually teach away from a non-dehydrating system. For this reason the Applicant submits that Kawesch does anticipate nor render obvious the recited claims.

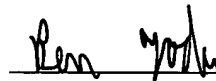
In view of the above it is submitted that the claims are in condition for allowance.

Reconsideration of the rejections is requested. Allowance of claims 1-14 at an early date is solicited.

Respectfully submitted,

IRELL & MANELLA LLP

Dated: August 6, 2004



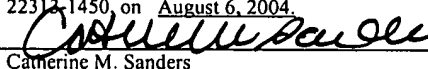
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